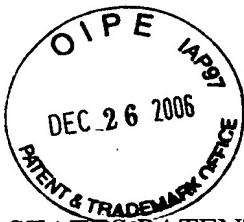


DOCKET NO: 248628US0X



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

JEAN-LUC JESTIN, ET AL.

: EXAMINER: WILDER, C. B.

SERIAL NO: 10/787,219

:

FILED: FEBRUARY 27, 2004

: ART UNIT: 1637

FOR: METHODS FOR OBTAINING THERMOSTABLE ENZYMES, DNA POLYMERASE I VARIANTS FROM *THERMUS AQUATICUS* HAVING NEW CATALYTIC ACTIVITIES, METHODS FOR OBTAINING THE SAME, AND APPLICATIONS OF THE SAME

RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Prior to examination on the merits and in response to the Restriction and Election of Species Requirement, Applicants provisionally elect Group I, Claims 1-22, 78, 79, drawn to a polynucleotide, with traverse. With the election of Group I, Applicants elect as a species SEQ ID NO: 19. The elected sequence encodes a polypeptide having a mutation in amino acid 761 (this mutation corresponds to M484 as referred to claim 1). Claims 1-8, 17-30, 39-47, and 56-77 read on the elected Species.

REMARKS

The Examiner's position is that Claims 1-79 can be drawn to five distinct inventions as follows:

Group I: Claims 1-22, 78, 79, drawn to a polynucleotide;

Group II: Claims 23-58, drawn to a polypeptide and kit;